

OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, dated January 22<sup>nd</sup>, 2018, complying with Section 17B-1-414, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to CENTRAL WEBER SEWER IMPROVEMENT DISTRICT located in Weber County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 29<sup>th</sup> day of January, 2018 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX  
Lieutenant Governor



## Central Weber Sewer Improvement District

January 23, 2018

The Honorable Spencer J. Cox  
Lieutenant Governor of the State of Utah  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

SUBJECT: Notice of Annexation  
Hazy Acres Property

Dear Lieutenant Governor Cox:

We are submitting to you a Notice of Annexation for the Hazy Acres Property in Weber County to be annexed into the Central Weber Sewer Improvement District. Enclosed please find the following three items:

- A Notice of Proposed Annexation;
- A copy of Resolution 2018-01; and,
- An approved final local entity plat as defined in Utah Code Ann. § 67-1a-6.5 and meeting the requirements of Utah Code Ann. § 17-23-20.

It is requested that a certificate of annexation in accordance with the requirements of Utah Code Ann. §§ 17B-1-414(2) and 67-1a-6.5.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L. Wood, P.E.  
General Manager

Enclosures

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

**RESOLUTION 2018-01**

**Annexation Approval Resolution**

**(100% landowner petition)**

WHEREAS, the Central Weber Sewer Improvement District (the "District") is a duly organized improvement district primarily located in Weber County, Utah, but also including a relatively small part of Davis County, Utah, established and operating as prescribed in Title 17B, Chapter 2a, Part 4 of the Utah Code and other relevant portions of Title 17B of the Utah Code;

WHEREAS, the District owns and operates sanitary sewer outfall collection and treatment facilities which serve much of Weber County and a small portion of Davis County, Utah;

WHEREAS, a Landowner Annexation Petition (the "Petition") has been filed with the District requesting that the real property identified on Exhibit "A" attached to this Resolution (the "Subject Property") be annexed into the District in order to receive sanitary sewer treatment and disposal services from the District (the Landowner is referred to herein as "Applicant");

WHEREAS, the District requires that Applicant's property be annexed into the District as a condition to receiving, and continuing to receive, sewer service;

WHEREAS, the District Board of Trustees (the "Board") has the statutory authority to annex areas into the District pursuant to the requirements of Title 17B, Chapter 1, Part 4 of the Utah Code, which outlines the procedure to be followed to accomplish such annexations;

WHEREAS, Applicant owns 100% of the Subject Property;

WHEREAS, the Petition satisfies the applicable requirements of Utah Code Ann. §§ 17B-1-403 and -404;

WHEREAS, within thirty days after the Petition was filed, at a duly called meeting of the Board of Trustees of the District for which certification of the Petition was listed on the agenda, the Board voted to certify the Petition in accordance with Utah Code Ann. § 17B-1-405;

WHEREAS, the identified contact sponsor was notified, in writing, of the certification of the Petition as required by Utah Code Ann. § 17B-1-405;

WHEREAS, since the Petition has been signed by the sole owner of the Subject Property, pursuant to Utah Code Ann. § 17B-1-413(1), the District Board is not required to hold a public hearing pursuant to Utah Code Ann. §§ 17B-1-409 and -410 and the protest provisions of Utah Code Ann. § 17B-1-412 are not applicable to this annexation proceeding;

WHEREAS, a notice of the proposed annexation was given pursuant to the requirements of Utah Code Ann. § 17B-1-413;

WHEREAS, the written Notice referenced in the immediately preceding paragraph contained a brief description of the proposed annexation and included the name of the Central Weber Sewer Improvement District, the services provided by the District, a description and/or map of the area proposed to be annexed, a local district telephone number where additional information about the proposed annexation could be obtained and an explanation of the right of an owner of property located within or a registered voter residing within the area proposed to be annexed who did not sign the annexation petition to request a public hearing on the proposed annexation in accordance with Utah Code Ann. § 17B-1-413(2)(a)(ii)(B), provided that such request was submitted to the District Board of Trustees within 20 days after the date the Notice was given;

WHEREAS, more than 20 days have passed since the notice was given, no property owner or registered voter having a right to do so has requested a hearing, and the time for submitting a request for a public hearing has passed;

WHEREAS, not more than 30 days has passed since the expiration of the time for submitting a request for a public hearing;

WHEREAS, no part of the area proposed to be annexed is located within the boundaries of any local district or special service district which is authorized to perform the same functions or provide the same services as the District, nor is it located within the boundaries of any municipality or any county that provides the same service that the District provides;

WHEREAS, it is not necessary to provide a notice of the proposed annexation to any county or municipality pursuant to Utah Code Ann. § 17B-1-406 and the provisions of Utah Code Ann. §§ 17B-1-407 through -408 are not applicable; and

WHEREAS, the Board has determined that all applicable statutory requirements have been satisfied and, having considered the proposed annexation, has determined it to be in the best general interest of the District and of the property owners, residents and taxpayers within both the District as presently constituted and the area proposed to be annexed for the requested annexation to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Central Weber Sewer Improvement District, as follows:

1. That all of the legal requirements stated in Title 17B, Chapter 1, Part 4 of the Utah Code that must be satisfied before the adoption of this Resolution have been satisfied.

2. That, in accordance with Utah Code Ann. § 17B-1-414, the real property described and/or otherwise identified in attached Exhibit "A," which is incorporated by reference as part of this Resolution, shall be and hereby is annexed into and, from the effective date of the annexation, shall be part of the Central Weber Sewer Improvement District.

3. That, from and after the issuance by the Lt. Governor of a certificate of annexation pursuant to Utah Code Ann. §§ 67-1a-6.5 and § 17B-1-414(3)(b), the Subject Property shall be an integral part of the District and, upon the submittal of the original notice of annexation, the original certificate of annexation issued by the Lieutenant Governor, the approved final local entity plat, and a certified copy of this Resolution to the Weber County Recorder for recordation, the taxable property located within the Subject Property shall be subject to taxation for the purposes of the District, including the payment of any bonds and other obligations now outstanding or hereafter authorized and issued. All properties within and users of services provided by the District, as enlarged by this annexation, shall be subject to the payment of service and user fees and such other applicable fees and charges as may be assessed from time to time by the District and shall be subject to all rules, regulations, powers and authority of the District and of the Board as provided by law or otherwise.

4. That the Chairman and/or General Manager of the District be and are instructed, within 30 days after adoption of this Annexation Resolution, to file a written notice of annexation with the Lt. Governor of the State of Utah, accompanied by a copy of this Resolution and an approved final local entity plat. The Chairman and/or General Manager are further instructed, upon receipt of the certificate of annexation from the Lieutenant Governor, to submit the documents identified in paragraph 3 above to the Weber County Recorder for recordation.

5. That this Resolution shall take effect immediately upon its approval and adoption, but the annexation shall not be complete and effective until the date specified in the certificate of annexation issued by the Lt. Governor.

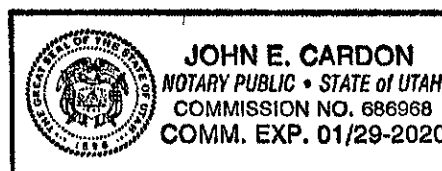
Approved and adopted by the Board of Trustees of the Central Weber Sewer Improvement District this 22nd day of January, 2018.

  
Mark Allen, Chair

STATE OF UTAH                    )  
  :SS.  
COUNTY OF WEBER            )

The foregoing Resolution was subscribed before me, a notary public and also the Clerk of the Central Weber Sewer Improvement District, this 22 day of January, 2018 by Mark Allen, Chairman of the Board of Trustees of the Central Weber Sewer Improvement District.

  
John E. Cardon, Notary Public



**EXHIBIT A**  
**Subject Property**

**ANNEXATION TO CENTRAL WEBER SEWER IMPROVEMENT DISTRICT**

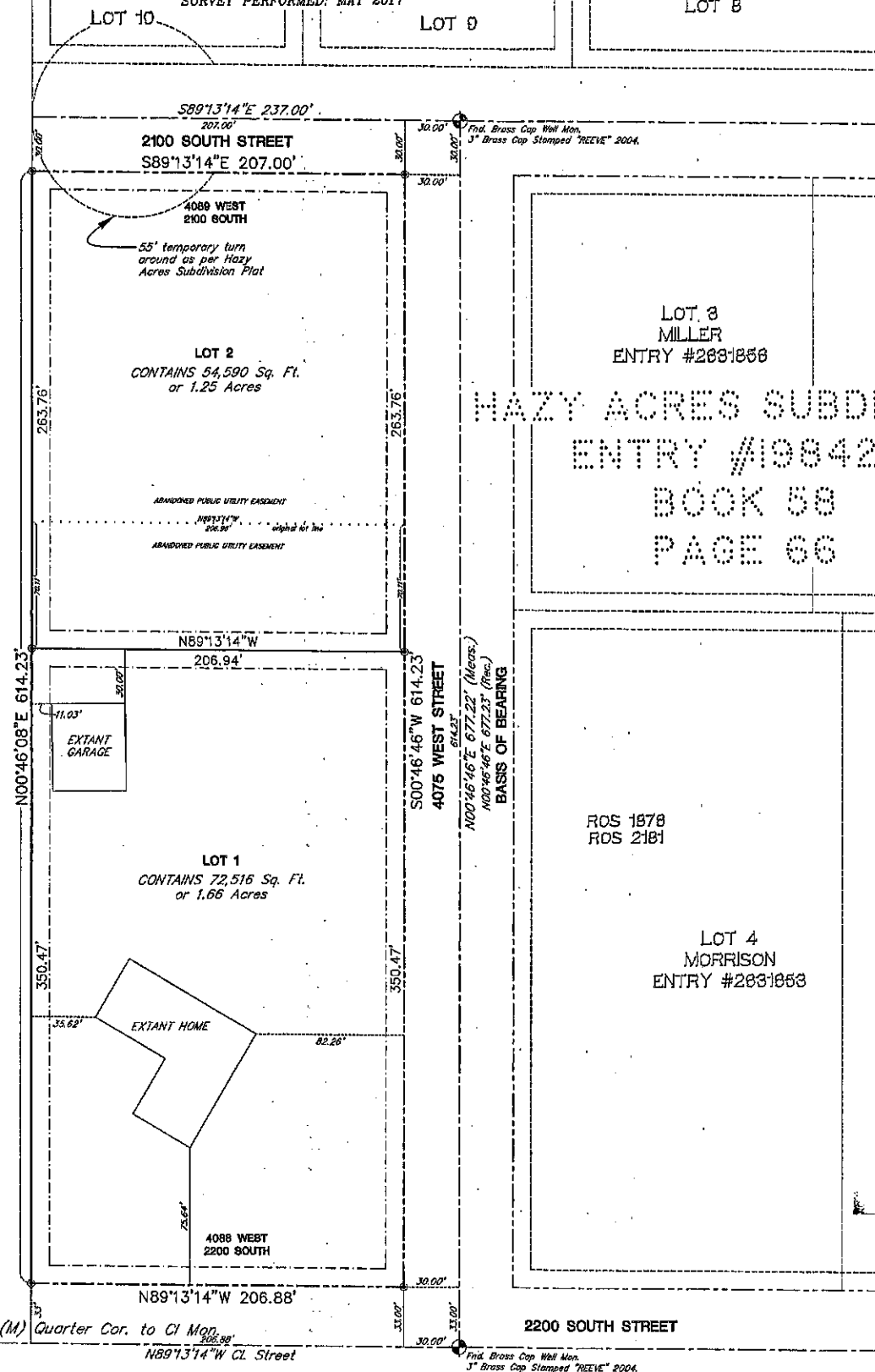
**HAZY ACRES (BITTON) ANNEXATION DESCRIPTION**

A parcel of land lying and situate in the Northwest Quarter of Section 28, Township 6 North, Range 2 West, Salt Lake Base and Meridian. Comprising the 2.92 acres contained in Lots 1 and 2 of the Hazy Acres Subdivision, recorded as Entry 1984231, Book 58, Page 66 of the Weber County Records. Basis of Bearing for subject parcel being North 00°46'46" East 677.23 feet (measured) between the brass cap well monuments monumentalizing the intersections of 4075 West Street and 2100 South and 2200 South Streets. Subject parcel being more particularly described as follows:

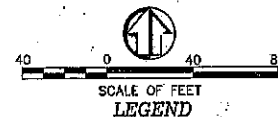
Beginning at the Southwest Corner of Lot 1 of said Hazy Acres subdivision, thence North 00°46'08" East 614.23 feet coincident with the west boundary of said subdivision to the Northwest Corner of Lot 2 of said Subdivision; Thence South 89°13'14" East 207.00 feet coincident with the south right of way line of 2100 South Street to the Northeast Corner of said Lot 2; Thence South 00°46'46" West 614.23 feet coincident with the west right of way line of 4075 West Street to the Southeast Corner of Lot 1 of said Subdivision; Thence North 89°13'14" West 206.88 feet coincident with the north right of way line of 2200 South Street to the point of beginning.

ANNEXATION PLAT TO CENTRAL WEBER SEWER IMPROVEMENT DISTRICT, RESOLUTION NO. \_\_\_\_\_  
OF HAZY ACRES SUBDIVISION 1ST AMENDMENT  
A RE-SUBDIVISION OF LOTS 1 AND 2 HAZY ACRES SUBDIVISION

LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 28,  
TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN  
SURVEY PERFORMED: MAY 2017



SMITH, ETAL.  
ENTRY #2483385



- 18 17- SECTION CORNER & SECTION LINE  
18 17-  
= SET 5/8" X 24" BAR & CAP, LS 356542 & PROPERTY LINE  
= ROAD RIGHT-OF-WAY LINES  
= 10.00' PUBLIC UTILITY EASEMENT  
= ABANDONED PUBLIC UTILITY EASEMENT  
= ADJOINING PROPERTY LINES  
= DIMENSION LINES  
= EXISTING FENCE LINE  
(M) or (MEAS.) = MEASURED  
(R) or (REC.) = RECORD  
ROS = RECORD OF SURVEY

PREPARED BY:  
**Boundary Consultants**  
Professional Land Surveyors

1295 North 1700 West, Utah  
801-708-1568 801-690-7158 FAX  
dave@boundaryconsultants.biz

FOR:  
CRAIG BITTON  
4088 WEST 2200 SOUTH  
OGDEN, Utah 84401  
801-728-7197

29 28 S89°12'02"E 1561.17' (M) Quarter Cor. to CI Mon.  
29 28 1st. Weber County  
Brass Cap Well Monument  
as per Weber County Surveyor's  
monument record 62129-1415.dnt

2nd. Brass Cap Well Mon.  
3rd. Brass Cap Stamped "REEVE" 2004.

SURVEYORS CERTIFICATE

I, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 358545 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and that a survey of the described tract of land has been completed by me in accordance with Section 17-23-20 and that I have verified all measurements as shown hereon.

NARRATIVE

See Record of Survey #5738 as filed with the Weber County Surveyor.

BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 28, Township 6 North, Range 2 West, Salt Lake Base and Meridian, comprising the 2.92 acres contained in Lots 1 and 2 of the Hazy Acres Subdivision, recorded as Entry #1984231, Book 58, Page 66 of the Weber County Records. Basis of Bearing for subject parcel being North 00°46'46" East 677.23 feet (measured) between the brass cap well monuments monumentizing the intersections of 4075 West Street and 2100 South and 2200 South Streets. Subject parcel being more particularly described as follows:

Beginning at the Southwest Corner of Lot 1 of said Hazy Acres Subdivision, thence North 00°46'08" East 614.23 feet coincident with the west boundary of said subdivision to the Northwest Corner of Lot 2 of said Subdivision; Thence South 89°13'14" East 207.00 feet coincident with the south right of way line of 2100 South Street to the Northeast Corner of said Lot 2; Thence South 00°46'46" West 614.23 feet coincident with the west right of way line of 4075 West Street to the Southeast Corner of Lot 1 of said Subdivision; Thence North 89°13'14" West 206.88 feet coincident with the north right of way line of 2200 South Street to the point of beginning.



OWNER'S AFFIDAVIT

The undersigned owner(s) of the hereon described tract of land, having caused the same to be annexed into the Central Weber Sewer Improvement District.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2017.

Craig J. Bitton

Shae L. Bitton

ACKNOWLEDGMENT

STATE OF UTAH } S.S.  
COUNTY OF WEBER }

On the \_\_\_\_ day of \_\_\_\_\_, 2017, personally appeared before me, the undersigned Notary, in and for said County of Weber, in said State of Utah, the signers of the above Owner's Affidavit, two (2) in number, who duly acknowledged to me that they signed it freely and voluntarily for the purposes therein mentioned.

Notary Public

My Commission Expires

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT ACCEPTANCE

I hereby certify that this plat of addition to the corporate limits of the Central Weber Sewer Improvement District, Weber County, Utah has been accepted by Resolution No. \_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_, 2017.

In witness whereof I hereby unto set my hand.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

Central Weber Sewer Improvement District

WEBER COUNTY SURVEYOR

This plat of addition to the corporate limits of the Weber Central Sewer Improvement District is hereby approved as a political social entity plat as required by Utah Code 17-23-20.

Approved this 23rd day of September 2017.

David E. Hawkes  
Weber County Surveyor

WEBER COUNTY RECORDER

ENTRY NUMBER \_\_\_\_\_

FEE PAID \_\_\_\_\_  
FILED FOR RECORD AND RECORDED THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 2017, IN BOOK \_\_\_\_\_, AT PAGE \_\_\_\_\_ OF THE OFFICIAL RECORDS.

DEPUTY COUNTY RECORDER